

RHODE ISLAND'S MARRIAGE EQUALITY LAW

WHAT YOU SHOULD KNOW

As of August 1, 2013, same-sex marriage is legal in Rhode Island. Also, as of August 1, Rhode Island will no longer allow couples to enter into a civil union. Any person who otherwise meets the marriage eligibility requirements of R.I.G.L. Chapters 15-1 and 15-2 may marry any other marriage-eligible person. Full marriage eligibility requirements may be found in R.I.G.L. Chapters 15-1 and 15-2, as amended by [Public Law 2013-005](#).

What You Should Do

To obtain a license to be married in Rhode Island

- If both persons live in Rhode Island, you may apply for a marriage license at the city or town hall where either person resides.
- If only one person lives in Rhode Island, you must apply for a marriage license from the [city or town hall](#) where the Rhode Island resident lives.
- If neither person lives in Rhode Island, you must apply for a marriage license from the [city or town hall](#) of the city or town in which the marriage ceremony will be performed. Applicants for a marriage license must know the city or town in which the marriage will be solemnized.

To have the required documentation

- Both persons must provide identification and proof of birth facts when applying for a marriage license. Be sure to check with the town or city clerk's office where you will apply for a marriage license for their requirements regarding acceptable forms of identification and proof of birth facts.
- If either person is a minor, additional requirements may apply. Speak with the [town or city clerk](#) for more information about these additional requirements.

What You May Do If You Are Currently in a Civil Union

Note: If you are not in a Rhode Island Civil Union, the following information does not apply to you.

Do nothing

Your Rhode Island Civil Union will remain a legal document in the State of Rhode Island and continue to be subject to the rules and regulations governing a vital record. No marriage license fees apply to this option and there will be no recognized date of marriage.

Get married and have your Rhode Island Civil Union merged into the marriage

- [Apply for a marriage license.](#)
- The parties to the marriage must be the same parties to the civil union for the civil union to be merged into a marriage;
- Both persons must also complete and sign an "Application To Merge Rhode Island Civil Union Into Marriage" form at the same city or town hall where they will be applying for a marriage license.

- The civil union will be merged into the marriage after the marriage is solemnized, returned to the town or city clerk by the officiant and filed by the town or city clerk of the city or town in which the marriage license was issued.
- All marriage license fees apply.
- See [R.I.G.L. §15-3.1-13](#) for information about the recognized date of marriage should you exercise this option.

Have your Rhode Island Civil Union legally designated and recorded as a marriage without a marriage ceremony

- Both parties must return to the town or city hall in which the original civil union license was issued to complete and sign an “Application To Merge Rhode Island Civil Union Into Marriage,” regardless of where either or both persons currently live.
- No marriage license fees will apply.
- See [R.I.G.L. §15-3.1-13](#) for information about the recognized date of marriage should you exercise this option.

What You Should Know If You Merge Your Rhode Island Civil Union Into A Marriage **About the date of marriage**

- The recognized date of marriage as specified in [R.I.G.L. §15-3.1-13](#) applies only to individuals who previously entered into a civil union in this state and whose civil union has merged into a marriage in this state.
- The recognized date of marriage is for purposes of determining the legal rights and responsibilities of these persons.
- The date of the recording (filing date) of the marriage certificate shall be the operative date by which legal rights and responsibilities are determined.
- The legal rights and responsibilities shall be determined by a court of competent jurisdiction. For more information, confer with your own legal counsel.

About previous legal relationships

- Any person who, having been previously married or been a party to another relationship that provides substantially the same rights, benefits and responsibilities as a marriage, must prove that the marriage or relationship has ended to the town or city clerk before a license to marry is issued.
- The town or city clerk must be presented with an authenticated copy (a copy that includes a raised state seal or similar mark) of the decree granting the divorce or an authenticated copy of the final dissolution of the previous relationship.
- If the other party to that relationship is deceased, the town or city clerk must be presented with a certified copy of the death certificate.

About recognition of out-of-state civil unions or legal relationships by Rhode Island

If two persons are within the jurisdiction of Rhode Island and have a legal union other than a marriage that provides substantially the same rights, benefits and responsibilities as a marriage and the union was validly entered into in another state or jurisdiction and the union is not prohibited by this chapter then they shall be afforded the same rights, benefits and responsibilities as a valid marriage in this state ([RIGL 15-1-8](#))

About taking action regarding your Rhode Island civil union

- There is no expiration date on your ability to merge your Rhode Island Civil Union into a marriage. You are free to make this change at a later time.
- If no action is taken, your Rhode Island Civil Union will remain as is and in accordance with the rules and regulations governing a vital record.

If you have additional questions

- If your question has not been answered here or if further clarification is needed, contact the town or city clerk's office in the city or town where you will obtain your license to be married or have your Rhode Island Civil Union merged into a marriage.
- If your question is legal in nature, consult with your attorney.

